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8
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11
12 KENNETH SPEARMAN,

13 Plaintiff,

14
15 v.

16 TARGET CORPORATION, a foreign
17 Corporation; DOES 1-20 and ROE BUSINESS
18 ENTITIES 1-20, inclusive,

19 Defendants.

CASE NO.: 2:20-cv-01789-APG-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(First Request)

20 Plaintiff, KENNETH SPEARMAN, by and through his attorney of record, RICHARD
21 HARRIS, ESQ., SAMANTHA A. MARTIN, ESQ. of the RICHARD HARRIS LAW FIRM; and
22 Defendant, TARGET CORPORATION, by and through its attorneys of record, LOREN S.
23 YOUNG, ESQ., and CAROLINE R. REILLY, ESQ. of the law firm LINCOLN,
24 GUSTAFSON & CERCOS, LLP, hereby stipulate and request that the Court extend the discovery and
25 dispositive motion deadlines by approximately ninety (90) days. This extension is not sought for the
26 purpose of delay or for any other untoward purpose. This stipulation is based on the fact that additional
27 time is necessary to conduct discovery; the majority of which relates to the COVID-19 directives. This
28 is the parties' first request to extend any discovery and dispositive motion deadlines in this matter.

Pursuant to Local Rule 26-4, the parties state as follows:

I. DISCOVERY COMPLETED TO DATE

- a. The parties conducted the Fed. R. Civ. P. 26(f) conference.
- b. The parties have exchanged initial disclosures of documents and lists of witnesses and supplements thereto.
- c. Defendant has propounded requests for production of documents and interrogatories on Plaintiff. Plaintiff has responded to these requests.
- d. Plaintiff has propounded requests for production of documents and interrogatories on Defendant. Defendant's responses are due on December 14, 2020.
- e. Plaintiff has served his First Supplemental Disclosure of Witnesses and Documents pursuant to FRCP 26.

II. DISCOVERY TO BE COMPLETED

- a. Deposition of Plaintiff and medical examination pursuant to FRCP 35.
- b. Deposition of Rule 30(b)(6) designee(s) of TARGET.
- c. Depositions of Plaintiff's treating physicians.
- d. Disclosure of expert witnesses and rebuttal.
- e. Depositions of fact witnesses.
- f. Depositions of expert witnesses.
- g. Additional written discovery.
- h. Supplemental responses to written discovery.
- i. Other discovery as necessary.

The above list is made without prejudice to the parties' ability to conduct additional discovery consistent with the Federal Rules of Civil Procedure.

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III. REASONS WHY THE DEADLINES CANNOT BE COMPLETED WITHIN THE CURRENT SCHEDULE

This matter is a personal injury claim, where the Plaintiff is alleging injuries due to a slip and fall on the premises of Defendant in Las Vegas, Nevada. Currently, Plaintiff is claiming past medical damages and other damages. The parties have been participating in the discovery process, however, there is pertinent discovery that remains to be completed.

Additionally, the COVID-19 pandemic has caused scheduling issues that have and may possibly continue to result in delays. Defendant is in the process of obtaining Plaintiff's past medical records. Until such time that Defendant has received Plaintiff's complete medical records, Defendant's experts cannot conduct a medical records review, perform an F.R.C.P. 35 examination, and expert reports. Consequently, additional time is necessary in order to complete the expert disclosures and remaining discovery. The parties agree that this request is not made for the purpose of delay, but to ensure a just adjudication of the case on the merits, and that neither party will be prejudiced by the requested extension. The parties will continue to work cooperatively with each other to complete discovery.

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1 **IV. PROPOSED SCHEDULE**

2 WHEREFORE, the parties respectfully request that this Court extend discovery deadlines as
3 follows:

4 EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
5 Discovery Deadline	May 24, 2021	August 23, 2021
6 Las Day to Amend Pleadings/ Add Parties	February 23, 2021	May 24, 2021
7 Initial Expert Disclosure	March 25, 2021	June 23, 2021
8 Rebuttal Expert Disclosure	April 26, 2021	July 26, 2021
Dispositive Motions	June 23, 2021	September 21, 2021
Pretrial Order	July 23, 2021	October 21, 2021

9 DATED this 10th day of December, 2020.

DATED this 10th day of December, 2020.

10 **RICHARD HARRIS LAW FIRM**

LINCOLN, GUSTAFSON & CERCOS, LLP

11 /s/ *Samantha A. Martin*

/s/ *Caroline Roske Reilly*

12 _____
13 **SAMANTHA A. MARTIN, ESQ.**

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16 *Attorney for Plaintiff, Kenneth Spearman*

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Attorneys for Defendant, Target Corporation

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19 IT IS SO ORDERED:

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21 
22 UNITED STATES MAGISTRATE JUDGE

23 Dated: December 10, 2020

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